

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Paul B. Fisher and Magdalena Leszczyniecka

U.S. Serial No. : Not Yet Known (Continuation Application of PCT/US00/02920, filed 2 February 2000)

Filed : Herewith

For : GENES DISPLAYING ENHANCED EXPRESSION DURING CELLULAR SENESCENCE AND TERMINAL CELL DIFFERENTIATION AND USES THEREOF

1185 Avenue Of The Americas
New York, New York 10036
July 16, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Patent Application

Sir:

PRELIMINARY AMENDMENT TO THE ACCOMPANYING CONTINUATION
APPLICATION FILED UNDER 37 C.F.R. §1.53

Applicants request that the following amendment be made in the above-identified application:

In the Specification:

On page 1, after the title, please delete the paragraph at lines 7-10 beginning "This application claims priority..." and insert the following as a separate paragraph:

--This application is a continuation of PCT International Application No. PCT/US00/02920, filed 2 February 2000, designating the United States of America, which is a continuation-in-part of U.S. Serial No. 09/243,277, filed February 2, 1999, the contents of which are hereby incorporated by reference into the present application.--

In the claims:

Please cancel claims 1, 2, 4, 5, 7, 9-12, 15, 16, 23-47, 49-61 and 63-84 without disclaimer or prejudice to applicant's right to pursue the subject matter of these claims in a future continuation or divisional application.

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Please amend claims 6, 8, 13, 14 and 21 as follows:

6. (Amended) A nucleic acid molecule comprising a nucleic acid molecule of at least 15 nucleotides capable of specifically hybridizing with a sequence included within the sequence of the nucleic acid molecule of claim 3.
8. (Amended) An antisense nucleic acid molecule comprising a sequence complementary to the nucleic acid of claim 3.
13. (Amended) A host vector system for the production of a protein having the biological activity of OLD-137, OLD-139, OLD-142, OLD-175 protein which comprises a vector which comprises the isolated nucleic acid molecule of claim 3 or 8 in a suitable host.
14. (Amended) A method of producing a protein having the biological activity of OLD-35, OLD-64, OLD-137, OLD-139, OLD-142, OLD-175 protein which comprises growing the host vector system of claim 13 under conditions permitting production of the protein and recovering the protein so produced.
21. (Amended) A protein encoded by the isolated nucleic acid molecule of claim 3.

REMARKS

This application is a continuation of PCT International Application No. PCT/US00/02920, filed 2 February 2000, designating the United States of America, which is a continuation-in-part of U.S. Serial No. 09/243,277, filed February 2, 1999. Accordingly, the parent application, PCT International Application No. PCT/US00/02920, is pending today in the United States of America pursuant to 35 U.S.C. §363, and the subject continuation application is co-pending therewith in fulfillment of the provisions of 35 U.S.C. §120.

By this Preliminary Amendment, applicants have hereinabove amended the specification on page 1 to insert the continuation data. Applicants maintain that the amendments made hereinabove do not raise any issue of new matter. Accordingly, applicants respectfully request entry of the Amendment.

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Claims 1-84 were pending in the subject application. By this Amendment, applicants have canceled claims 1, 2, 4, 5, 7, 9-12, 15, 16, 23-47, 49-61 and 63-84 without disclaimer or prejudice to applicant's right to pursue the subject matter of these claims in a future continuation or divisional application. Accordingly, upon entry of this Amendment, claims 3, 6, 8, 13, 14, 17-22, 48, and 62 will be pending and under examination.

Pursuant to 37 C.F.R. §1.121(c)(1)(ii), applicants attach hereto as Exhibit A, a version of the amended claims marked up to show the changes relative to the previous version thereof.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the filing fee of \$690.00, is deemed necessary in connection with this Preliminary Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,


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Amended Claims:

6. (Amended) A nucleic acid molecule comprising a nucleic acid molecule of at least 15 nucleotides capable of specifically hybridizing with a sequence included within the sequence of the nucleic acid molecule of claim [1, or] 3.
8. (Amended) An antisense nucleic acid molecule comprising a sequence complementary to the nucleic acid of claim [1 or] 3.
13. (Amended) A host vector system for the production of a protein having the biological activity of OLD-137, OLD-139, OLD-142, OLD-175 protein which comprises [the] a vector [of claim 11] which comprises the isolated nucleic acid molecule of claim 3 or 8 in a suitable host.
14. (Amended) A method of producing a protein having the biological activity of OLD-35, OLD-64, OLD-137, OLD-139, OLD-142, OLD-175 protein which comprises growing the host vector system of claim [12, or] 13 under conditions permitting production of the protein and recovering the protein so produced.
21. (Amended) A protein encoded by the isolated nucleic acid molecule of claim [1, or] 3.